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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Declaration
Submitted
with Initial
Filing

OR

Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number

First Named Inventor

Reuben Hertz

COMPLETE IF KNOWN

Application Number

Filing Date

August 27, 2001

Group Art Unit

Examiner Name

As a below named Inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**HANDHELD APPARATUS FOR DELIVERY OF PARTICULATE MATTER
WITH DIRECTIONAL FLOW CONTROL**

(Title of the Invention)

the specification of which

 is attached hereto

OR

 was filed on (MM/DD/YYYY) as United States Application Number or PCT InternationalApplication Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

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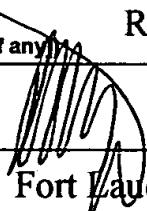
DECLARATION 3/4 Utility or Design Patent ApplicationDirect all correspondence to: Customer Number
or Bar Code Label OR Correspondence address below**Name** Reuben Hertz**Address** 2318 Sea Island Drive

City	Fort Lauderdale	State	Florida	ZIP	33301
Country	United States	Telephone	954/764-4074	Fax	954/764-0270

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR :	<input type="checkbox"/> A petition has been filed for this unsigned inventor
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Given Name (first and middle [if any])	Reuben	Family Name or Surname	Hertz
--	--------	----------------------------------	-------

Inventor's Signature				Date	8/25/01
Residence: City	Fort Lauderdale	State	Florida	Country	USA
				Citizenship	USA

Mailing Address	2318 Sea Island Drive
------------------------	-----------------------

City	Fort Lauderdale	State	Florida	ZIP	33301
				Country	USA

NAME OF SECOND INVENTOR:	<input type="checkbox"/> A petition has been filed for this unsigned inventor
---------------------------------	---

Given Name (first and middle [if any])	Family Name or Surname
--	----------------------------------

Inventor's Signature	Date
-----------------------------	-------------

Residence: City	State	Country	Citizenship
------------------------	--------------	----------------	--------------------

Mailing Address

City	State	ZIP	Country
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Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
09/196,498 517,379	11/21/1998 08/21/1995	5,839,946

Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Customer Number → Place Customer Number Bar Code Label here
OR
 Registered practitioner(s) name/registration number listed below

Name	Registration Number	Name	Registration Number
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: Customer Number OR Correspondence address below

Name	Reuben Hertz				
Address	2318 Sea Island Drive				
Address					
City	Fort Lauderdale	State	FL	ZIP	33301
Country	USA	Telephone	(954) 764-4074		Fax (954) 764-0270

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor: A petition has been filed for this unsigned inventor

Given Name (first and middle if any) Family Name or Surname

Reuben Hertz

Inventor's Signature	Supplemental Sheet for Priority Under 35 U.S.C. 120					Date	
Residence: City	Fort Lauderdale	State	FL	Country	USA	Citizenship	USA
Post Office Address	2318 Sea Island Drive						
Post Office Address							
City	Fort Lauderdale	State	FL	ZIP	33301	Country	USA
<input type="checkbox"/> Additional inventors are being named on the				supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto			

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) & 1.27(b))--INDEPENDENT INVENTOR	Docket Number (Optional)
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Applicant/Patentee, or Identifier: Reuben Hertz

Application or Patent No.: _____

Filed or Issued: _____

Title: HANDHELD APPARATUS FOR DELIVERY OF PARTICULATE MATTER
WITH DIRECTIONAL FLOW CONTROL

As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

the specification filed herewith with title as listed above.

the application identified above.

the patent identified above.

I have not assigned, granted, conveyed, or licensed, and am under no obligation under contractor law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contractor law to assign, grant, convey, or license any rights in the invention is listed below:

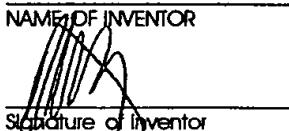
No such person, concern, or organization exists.

Each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

Reuben Hertz

NAME OF INVENTOR 	Signature of Inventor	Date <u>8/25/01</u>
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NAME OF INVENTOR	Signature of Inventor	Date
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NAME OF INVENTOR	Signature of Inventor	Date
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